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Statement submitted by International Women's Year Liaison Group, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.

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Statement

The Gender Equality Act for Political Participation of Women of 2018

We proudly announce that the Diet finally passed the Gender Equality Act for Political Participation of Women (Law No. 28 of 2018) on 23 May 2018. It encourages political parties to endeavour to adopt equal number of male and female candidates for all levels of official elections, which should encourage implementation of a voluntary quota system among political parties. This has been the fruit of coordinated efforts of 63 non-governmental organizations) which took six years to persuade all-parties members of the Diet that Japan needs to improve women's representation in political sphere. We have been deeply troubled by World Economic Forum's Global Gender Gap Report 2017 which ranked Japan as 114 out of 144 countries. She was atrociously behind in political empowerment (123) as well as in economic participation and opportunity (114), although the latest statistical update of the United Nations Development Program (UNDP) Human Development Index ranking placed Japan at 19. The huge difference in these ranking apparently is due to the fact that latter does not take into consideration the lack of women's representation in political sphere and in leadership positions in general. We sincerely hope this Act will be the real beginning of the empowerment of women and girls. Civil society is providing encouragement in forms of knowledge and other useful resources so that there will be many more women interested in entering politics as well as pushing for a reasonable working hours and other humane arrangements for politicians in general.

Social Protection Systems for Gender Equality

We consider that a very strong protection of legal marriage and of the status of spouses (wives in reality) in succession law, social securities and tax policies (which should function as social protection systems) prevent many women from overcoming gender-specific ways of life, and discourage women in general from being autonomous and independent, thus disempowering them. It is important to have functioning social protection systems, but it is crucial that they are not based on fossilized gender stereotypes.

The very strong protection of legal marriage and of the status of spouses, as provided for in Japan, encourages (1) young women to choose home-makers as their most advantageous and preferable way of living, and to abandon their education, training and works; (2) women with children to choose part-time instead of full-time and well-paid works for their belief that they are to shoulder most of family responsibility, and to forfeit their entitlement to better pension plans and superannuation; (3) women thinking of divorce at a later stage of life to stay married even when their spouses are having affairs or when they fear domestic violence for themselves or for children, especially when they realize that their pension and their share of marriage property would be reasonably sufficient only when they are widowed.

In 1946, women exercised their first political rights. In 1947, women became entitled to exercise legal rights as person. Since 1980, the rule of succession was amended to "enhance women's rights" which actually was to fortify the status of spouses, not of women's rights.

To be more precise, in 1947, when the Diet reviewed the Civil Code on Family Relationship and Succession to reflect the newly guaranteed legal status of women by the Constitution of 1947, the law (Law Nos. 22 and 222 of 1047) provided that the surviving spouse, for the first time, is to inherit a part, typically, one third, of the estate of the deceased. In 1980 revision of the Civil Code (Law No. 51 of 1980), that share was increased, typically to one half. In 2018, the Civil Code on Succession was

again revised to benefit a surviving spouse (Law No. 72 of 2018) by introducing a peculiar right similar to remainder for life for their communal residential property and preventing reversion of a residential property from the deceased's estate if the deceased made a gift prior to death to the spouse of twenty years or more. There is a very strong incentive to keep legal marriage to continue regardless of whether there is a breakdown in its relationship. Spouses with little or no independent income would have no choice but to remain in the relationship because of financial disadvantages and deprivation that divorce will surely bring. Thus, the law of succession, although superficially gender-neutral, prevents women and girls from exercising autonomous choices.

Media also project a very conscripted and convoluted image of women and are prone to provide misleading information. A typical household in Japan is portrayed as a nuclear family with a married couple and child(ren), but according to National Survey of Households 2017, the Ministry of Health, Labour and Welfare, only 29.5 per cent of households are nuclear families. Of all the households with child(ren), 70.8 per cent of mothers of the youngest child are working: 34.9 per cent are working full-time and 52.3 per cent are part-time workers. Yet, mothers with child(ren) are most often depicted as stay-at-home moms when, in fact, only 29.2 per cent are. About a quarter (24.7 per cent) of mother's work, continuously it appears, full time whereas the percentages of part-time working mothers fluctuate between 10 per cent and 50 per cent depending on the age brackets of child(ren). Based on media information, women quite often believe that it would increase family income if they only earn so little that their tiny earnings qualify themselves as their spouses' dependents instead of themselves earning significant incomes because that would push the family income into much higher tax brackets. In fact, married couples are taxed independently of each other. Therefore, the total income will be taxed less if both adults have incomes compared to the case where one adult becomes financially dependent upon the other even when the latter's total income is equivalent to the sum of former two adults.

It is not just motherhood and childcare but also care to other members of closely related and not so close family, that discourages daughters, daughters-in-law and wives to continue working or encourages these people to retire early to look after and care for the elderly or for those who need someone to look after and care for. In short, the rapidly aging society and Japanese-style welfare expects women within family, who earn less, to leave workforce to shoulder the actual undertakings. The system is supported by ideas that people should not expect the State and public entities to support individuals in need, that family members are to care other family members and should bear the burden as moral obligation, both financially and physically, and that the effective care and efficient distribution of necessary resources would be better met by competitive market.

For whatever reasons, women are disempowered when they feel they do not have the choice but to perform their gender roles a have been expected, when they lose control of their financial resources and become dependent, and when they are deprived of their chance to contribute to society. By leaving labour market, forfeiting significant income of their own and becoming dependents to their spouses (and because dependent spouses are exempted from contributing to their own pension plans), a large percentage of their pensions also becomes dependent upon the spouses' pension plans.

Tax policy which allows spouses to be dependent, pension system which exempts dependent spouses from contributing to their own pension funds, social welfare system which expects family members to support other family members are all founded on the belief that these systems will help women by supporting their dependency when it is necessary, or inevitable. We do not deny all systems started

with good intentions but many of the presumptions outlived their usefulness; it is now time to overhaul the structure and encourage women and girls to choose their lives without forcing them to perform any of the socially defined gender roles. Since we succeeded in enacting the Gender Equality Act for Political Participation of Women of 2018, we can be optimistic in restructuring our tax and social welfare policies.

This year, several medical schools admitted that they had treated women differently by admitting male applicants with lower grades. The president and the dean of one school explained its decision by stating an unsubstantiated allegation that female medical students leave school without becoming doctors, unwilling to qualify and practice. Gender bias persists but we hope this is an opportunity to improve the working environment of medical staff.